

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

James Patrick Arnold, #1071,)	
)	C/A No. 9:08-2946-MBS
Plaintiff,)	
)	
vs.)	
)	
Wanda D. Brock, a/k/a Wanda D. Simpson;)	
L.A. Moody 380; J.S. Copeland 483;)	ORDER
Zackry A. Alkhalil,)	
)	
Defendants.)	
)	

Plaintiff James Patrick Arnold is incarcerated at the Greenville County Detention Center in Greenville, South Carolina. On August 26, 2008, Plaintiff, appearing pro se, filed a complaint claiming defamation, false arrest, lost wages, and mental anguish. Plaintiff brings his complaint pursuant to 42 U.S.C. § 1983.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Bristow Marchant for pretrial handling. The Magistrate Judge reviewed the complaint under 28 U.S.C. §§ 1915 and 1915A and the Prison Litigation Reform Act. On September 15, 2008, the Magistrate Judge issued a Report and Recommendation in which he recommended that the complaint be summarily dismissed without prejudice for failure to state a claim against Defendants. Plaintiff filed no objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report and Recommendation to which a specific objection is

made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has carefully reviewed the record. The court concurs in the recommendation of the Magistrate Judge. The case is dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

Columbia, South Carolina

October 20, 2008

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.